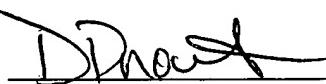




PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 4, 2003.

  
Debbie Prout

Applicant : Yasunori Yomo, et al.  
Application No. : 10/659,559  
Filed : September 9, 2003  
Title : ASARINA PLANT NAMED 'SUN-ASARO'  
Grp./Div. : N/A  
Examiner : N/A  
Docket No. : 51093/DBP/A400

INFORMATION DISCLOSURE STATEMENT

37 CFR § 1.97(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
December 4, 2003

Commissioner:

In compliance with the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§ 609 and 707.05(b), enclosed is FORM PTO/SB/08A/B listing the references that are known to applicant. Copies of each of the listed references are enclosed. This filing is timely because it is made during one of the periods described in 37 CFR § 1.97(b).

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of FORM PTO/SB/08A/B be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
D. Bruce Prout  
Reg. No. 20,958  
626/795-9900

DBP/djp Enclosures: PTO/SB/08A/B, w/references DJP PAS539636.1-\* 12/4/03 12:29 PM

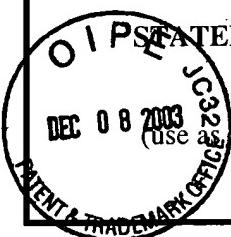
FORM PTO/SB/08A/B (10-01)  
Substitute for PTO-1449A/B

### INFORMATION DISCLOSURE

#### STATEMENT BY APPLICANT

DEC 08 2003

(use as many sheets as necessary)



Attorney Docket Number	51093/DBP/A400
Application Number	10/659,559
Filing Date	September 9, 2003
Applicant(s)	Yasunori Yomo, et al.
Group Art Unit	N/A
Examiner Name	N/A

### U.S. PATENT DOCUMENTS

EXAMINER INITIALS	Cite No. <sup>1</sup>	DOCUMENT NUMBER Number - Kind Code <sup>2</sup> (If Known)	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE

### FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup> ( <input checked="" type="checkbox"/> )

### OTHER DOCUMENTS

EXAMINER INITIALS	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		The Seedsmen, 1990, 2 pages (including page 17), published by Thompson & Morgan, published 1989 (characteristics of Asarina erubescens)
		The Seed Catalogue 1999, 2 pages (including page 27), published by Thompson & Morgan, published 1998 (characteristics and a photograph of Asarina "Red Dragon" which is a similar variety of "Sun-Asaro")
		Application documents for Japanese PBR, Application No. 13722, proposed denomination: Sun-Asaware; Application Date: 8-10-2001, Laid open date: 01-24-2002 ("Sun-Asaware" is female parent of "Sun-Asaro")
		W. Eilsens; SYSTEMATIC BOTANY MONOGRAPHS, Vol. 5, The American Society of Plant Taxonomists, published 9 May 1985, pages 68-71, 74-77 (Botanical explanation for species of Lophospermum sect.)

DJP PAS539637.1-\*12/4/03 12:41 PM

EXAMINER SIGNATURE	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.pto.gov or MPEP 901.4. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.	